

## MILBANK CITY COUNCIL PROCEEDINGS

July 10, 2023, 7:00 pm

Call to Order - The City Council met in regular session on July 10, 2023, at 7:00 pm in the Visitor Center, 1001 East Fourth Avenue, Mayor Raffety presiding.

Roll Call - Mayor Raffety. Councilmembers: Roger Briggs, Mike Hanson, Josh Karels, Mindy Rogers, Craig Weinberg, and John Wey. Absent: none.

Staff Present: Attorney Mark Reedstrom, John Forman, Cynthia Schumacher, Corey Hooth, Kevin Schuelke, Dan Keyes, Darin Thiele, Dick Poppen, Donald Settje.

Public Present: Holli Seehafer and Kathy Ward.

Oath of Office – Attorney Mark Reedstrom administered the Oath of Office to elected Ward 1 Councilman John Weyh.

Public Comments – There were no public comments.

Minutes – A motion was made and seconded to approve the minutes of the June 12 and June 28, 2023, meetings. Motion carried 6-0.

Consent Agenda – A motion was made and seconded to approve the consent agenda. Motion carried 6-0.

1. Ratify hiring Ashlynn Batchelor-Unity lifeguard-\$14.51, effective 6/22/23. Ethan Seyer-Unity lifeguard-\$14.51, effective 7/27/23.
2. Approve Commercial Garbage Collector Licenses: Waste Management, Sackreiter Investments DBA Whetstone Sanitation.
3. Approve Haulers of Recyclable Materials: Robert Sackreiter, Valley Rental & Recycling, LLC, Waste Management.
4. Approve Arborist's Licenses: Swenson Tree Service, Milbank House Movers, Kenneth Vanorny, Jacobsen Tree Experts.
5. Accept resignation of Officer Ted Bray, effective 7/23/23.

Election of Officers – A nomination was made and seconded to nominate Craig Weinberg as Council President. Nominations ceased, and a unanimous ballot was cast for Craig Weinberg as Council President.

A nomination was made and seconded to nominate Josh Karels as Vice-President. Nominations ceased, and a unanimous ballot was cast for Josh Karels as Council Vice-President.

Mayor Appointments – A motion was made and seconded to approve the following employee appointments. City Administrator John Forman, Finance Officer Cynthia Schumacher, Police Chief Corey Hooth, Fire Chief David Giessen, Assistant Fire Chiefs John Weyh and Justin Mathiason, City Attorney Mark Reedstrom. Motion carried 6-0.

Council Committee Appointments were approved: Airport-Mayor Raffety. Milbank Area Chamber Liaison-Craig Weinberg. Finance-Craig Weinberg. Grant County Emergency Management-John Forman. Grant County Development Corporation-Mayor Raffety. Housing-Josh Karels, Mike Hanson. Planning & Zoning-Craig Weinberg. Personnel-Mindy Rogers, Mike Hanson. Police-Josh Karels. Property Standards-Craig Weinberg, John Forman. Public Works-Mayor Raffety. Cemetery-Mike Hanson. Parks-Mindy Rogers, Mike Hanson. Rubble Site-John Weyh. Streets-Josh Karels. Wastewater-John Weyh. Water-Roger Briggs. Unity Health & Fitness- Mindy Rogers.

Police Reserve and Fire Department Rosters-Both rosters were unanimously approved and placed on file.

#### Department Reports

Water - Councilman Briggs stated the SD Board of Water and Natural Resources approved a SRF loan for \$12,500,000 to improve the city wells and pumping station.

Crews are on site to repair and paint the large water storage tank. Therefore, only the small storage tank is in use, making it difficult to keep up with water demands. Residents were reminded that water restrictions are in place. The city is utilizing 48% spring water.

Project update: Thien Well Company has completed inspecting and cleaning the three wells. The spillway by the springs has been undermined by water and will need to be repaired. It was determined that well one and two are good, the pumps should be set deeper. Well house one needs repairs. Well three is old, and new well is recommended. Banner Engineering will begin the design for the dosing building. Once electrical specifications are known, work will begin with Otter Tail Power to install a larger transformer. Engineers are aiming to bid on the project this fall.

The Council discussed upsizing the water main requested by Arvid Liebe, west of town, to provide adequate fire protection. The cost of the upsize the main, who should bear the cost, and the property being outside city limits was discussed. Fire Administrator Schuelke stated, based on the scenarios discussed, a fire there would still be treated as a rural fire. No action was taken.

Housing & Development – A motion was made and seconded to declare Lots 8 and 17, Block 59, Original Townsite surplus. Motion carried 6-0. Staff was directed to order appraisals and research an egress/ingress easement issues on Lot 8.

Wastewater – Staff continues with routine maintenance, adjusting to low flows.

Planning & Zoning – A motion was made and seconded to approve the second reading of Ordinance 848 – Amending Chapter 17, Zoning Regulations. Motion carried by roll call vote 6-0.

The Board of Adjustments approved a conditional use permit requested by Misty Lemke and Angie Bowen for the operation of a retail shop located at 520 S Dakota Street, Lots 8 & 9, Block 5, Merritt's Addition.

## June Permits

Building: John Gesswein-203 S 9<sup>th</sup> St-deck. Valley Queen Cheese Inc.-200 E Railway Ave-commercial addition. JAG Development 1107 Adams Dr-house/garage. JAG Development-1007 Adams Dr-house/garage. Justin Mathiason-202 N Dakota St-commercial accessory structure. Jeremy Lapp-104 S Viola St-deck. David Loup-145 Diggs Ave-ramp.

Moving: none.

Fence: Miranda Koepke-512 S 5<sup>th</sup> St-wood privacy fence.

Roofing: Gail Folk-701 S Huron-asphalt.

Special Event Permits: Ameriprise-Lake Farley, 6/23/23-drivethru picnic. Whetstone Valley Electric, Lake Farley, 7/26/23, employee picnic. First Interstate Bank, 3<sup>rd</sup> Ave/2<sup>nd</sup> St parking lot, 7/13/23-customer appreciation lunch. Milbank Area Chamber, Flynn Park, Tuesday afternoons 6/13 through 9/26/23, Farmers Market. Milbank Area Chamber-Lake Farley, 7/4/23, 4<sup>th</sup> of July Celebration.

GCDC & Chamber – No report.

Lake Farley – Bids will be let for the baseball field fencing.

Property Standards – Council discussed the unsightliness of weeds growing along the sidewalks on highways 12 and 15. Residents are being asked to remove and or spray them.

Police – The department is authorized for eight officers. With the resignation of Officer Bray and reserve Nic Bray, the department is down to four certified officers, one uncertified officer and two reserves. Chief Hooth thanked Ted and Nic Bray for their many years of service to the city and community.

Chief Hooth reported the Dodge squad needs extensive repairs. Kevin Schuelke explained these repairs are common for this vehicle and if there were no other issues with the vehicle, he would recommend doing the repairs.

The technology upgrades are moving forward with the purchase of five laptops. Docking stations have been ordered. A 2023 Tahoe will replace the 2016 squad.

Park & Cemetery – The soccer field bleachers arrived and have been assembled. Water drinking fountains were installed and Pribyl and Flynn parks. There are over five hundred ash trees on the city cemetery and parks property. The park crew has started removing them. A quote was received for the removal of the trees in the cemetery around the headstones. The Council was reminded there is a small budget for tree removal in 2023. The 2024 budget will need to include additional funds.

Unity Health & Fitness – Staff is preparing for the 2023 Summer CommUnity Celebration to be held August 26, 2023. Registration is now open for flag football and the FCA football camp. Two pickleball court lines will be taped on tennis court number 4. The bike pump track project is moving forward, to be completed in 2024. The procurement of a new electronic sign was discussed as the sign at the Visitor Center has reached the end of life.

The Grant County Combined Appeal Program applications have been completed and submitted for assistance with youth programs and membership assistance.

Draft ordinances will be submitted next month for the tracking and management of food truck vendors and regulations regarding the commercial use of parklands.

The Bicycle/pedestrian trails committee held an open house providing opportunities for the public to express their questions, concerns and wishes.

Fire – A generator will be obtained for the fire hall; this will allow the hall to qualify as a backup EOC. The following changes were made to the roster – add Dustin Prisinger. Remove Dave Ehlebracht and Adam German.

Rubble Site – Hours of operation were discussed. No action was taken.

Streets – The railroad project on Main Street will begin this week.

Engineer Junker previously reported that state and federal funding for the local bridges is four to five years out. Surveying and design could be started. No action was taken.

Airport – No report.

Finance – A motion was made and seconded to table the June treasurer's report at the request of finance officer Schumacher. Motion carried 6-0.

A motion was made and seconded to approve the bills list, \$356,041.74. Motion carried 6-0.

A motion was made and seconded to approve Resolution 7-10-23, Northeastern SD Health Plan. Motion carried 6-0.

#### RESOLUTION 7-10-23

A Resolution authorizing an Allonge to the City of Milbank Economic Development Revenue Bonds (Northeastern South Dakota Health Plan) Series 2015B and Authorizing Mayor and Finance Officer the Authority to Execute and Deliver the Allonge to Bremer Bank.

Whereas, the City issued the City of Milbank Economic Development Revenue Bonds (Northeastern South Dakota Health Plan) Series 2015B, dated October 21, 2015; and

Whereas, Bremer Bank ("Lender") has requested that the City execute an Allonge to Bond (the "Allonge"), to address the elimination of the LIBOR Rate as the standard for setting interest the Bond and replace such with a new interest rate index as more specifically set forth in Allonge attached hereto as Exhibit "1".

Now Therefore Be it Enacted by the City Council of the City of Milbank, South Dakota (the "Issuer") as follows:

Section 1. Authority for this Resolution. This Resolution is adopted pursuant to the provisions of South Dakota Codified Law Chapter 9-54; and other applicable provision of law (collectively, the "Act")

Section 2. Addendum Authorization. The City Commission hereby authorizes the execution and delivery of the Allonge, including the Addendum, attached hereto as Exhibit "1". The Mayor and Finance Officer are authorized to execute the deliver the Lender such Allonge and the Addendum on behalf of the City.

Section 3. Severability. If any provision of this Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable in any context, the same shall not affect any other provision herein or render any other provision (or such provision in any other context) invalid, inoperable or unenforceable to any extent whatever.

Section 4. Effective Date. This Resolution shall take effect immediately upon its adoption.

City of Milbank  
Pat Raffety, Mayor

ATTEST: Cynthia Schumacher, Finance Officer.

Ordinance 849 – 2023 Supplemental Budget Ordinance. Mayor Raffety explained most of the items were originally budgeted for 2022. However, they were not completed or invoiced until 2023. A motion was made and seconded to approve the first reading of Ordinance 849. Motion carried by roll call vote, 6-0.

The arts council made a financial request. Mayor Raffety directed staff to obtain a formal, written request detailing the desired assistance. No action was taken.

June salaries: Mayor/Council \$1,600; Finance \$19,437; Police \$33,067 Fire \$1,751; Street \$11,792; Rubble Site \$944; Recreation \$32,516; Park \$22,026; Water \$7,048; Wastewater \$14,838.

Personnel – The Council reviewed two proposals to complete a compensation study for the city of Milbank; Public Sector, \$7,000-\$8,500. Economic Research Institute, \$4,750-\$6,600. After reviewing both proposals, a motion was made and seconded to approve and secure services from Economic Research Institute, not exceed \$6,600. Motion carried 6-0.

Several city job positions remain open due to lack of applicants. As a result, city staff has reached out to Lake Area Technical College to explore opportunities that might be available within the Build Dakota Scholarship Fund programs. Various programs are available to assist students with tuition costs while partnering with future employers.

Executive Session -A motion was made and seconded to go into Executive Session pursuant to 1-25-2(1). Motion carried 6-0. Mayor Raffety called the Council out of executive session.

A motion was made and seconded to hire Darin Thiele as Public Works Coordinator, effective immediately, step 18-8, \$5,845.47/mo. Motion carried 6-0.

A motion was made and seconded to approve a salary increase for Police Chief Corey Hooth, effective immediately, step 18-8, \$5,845.47/mo. Motion carried 6-0.

Adjourn – The next regular meeting is August 14, 2023, at 7:00 pm. A motion was made and seconded to adjourn. Motion carried 6-0.

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Pat Raffety, Mayor

ATTEST

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Cynthia Schumacher, Finance Officer

Vendor Name		7/10/2023 Amount
4Most Sport Group, LLC	3rd quarter scheduled visit	6,250.00
Advanced Technologies Inc.	shipping, computers, supplies	9,799.99
Amazon	supplies, equipment, parts	576.21
American Red Cross	training supplies	42.00
Associated Supply Co.	supplies, parts	538.20
AT&T Mobile	cell phone	511.81
Auto Value Parts Store	parts/supplies	947.13
Banner Associates Inc.	engineering	30,725.00
Benchmark Tool & Supply	laser, tripod, flags	967.20
Berens Market	supplies	11.83
BIB	background checks	14.42
Big State Industrial Supply	supplies	199.00
BSN Sports	windscreen	765.00
Card Pointe	card fees	548.75
CHS	gas	1,402.38
City of Milbank	deposit to final bill	100.00
Climate Systems	system repairs/service agreement	2,194.88
Corporate Technologies Inc.	managed services, IT support	1,915.00
Crown Awards Inc.	plaque	98.81
Dewey's Lawn Care	supplies/repairs	279.67
Eastside Car Wash	truck wash usage	22.26
EideBailly LLP	audit fees	13,000.00

Energy Laboratories, Inc	testing	3,201.00
FACe - Propay	transaction fees	12.17
Ferguson Water Works	meters	29,160.00
Flexible Pipe Tools & Equipment	parts	28.20
Folk, Jake	travel expense	161.01
Food-N-Fuel	gas	196.16
Freemotion Fitness	equipment parts	514.58
Galeton	supplies	122.95
Google	youtube subscription	12.77
Grant County Auditor	county services	1,000.00
Grant County Historical Society	displays	2,000.00
Grant County Review	publications	699.20
Hasslen Construction	pay request 1-splashpad project	58,645.00
Hawkins, Inc.	chemicals	5,101.08
Heiman Fire Equipment	phos-chek/tools/light	1,135.64
Interstate All Battery Center	batteries	500.55
ITC	phone, internet	1,610.61
J&J Earthworks Inc.	class 5	1,458.77
John Deere Financial	tractor repairs	272.36
Karl Chevrolet	2023 Tahoe	41,407.00
Kelly Kutters LLC	mowing contract	16,784.78
Lacal Equipment, Inc.	parts	512.88
Landmark, Julie	tile repairs	26.92
Larson Elevator	elevator repairs	2,385.23
Linde Gas & Equipment Inc.	air system	50.64
M&T Fire & Safety	rescue suits	4,940.00
McLeod's Printing	election supplies/tickets	209.90
Midwest Deep Tine LLC	field aerification	3,236.29
Midwest Power Sports	parts	1,499.93
Milbank Ball Diamond Assoc.	FIB funds-youth softball dues	1,000.00
Milbank Ford-Mercury	vehicle service	81.01
Milbank Winwater Co.	parts	901.54
MnB Cleaning Services LLC	cleaning service	4,800.00
Moldenhauer Trust, Norman	water protection agreement	5,890.40
Moldenhauer, Laverna	water protection agreement	15,255.20
Money Movers	NIHCA membership fee	11.25
NAPA Auto Parts	parts, supplies	254.46
NW Energy	natural gas	101.82
Oriental Trading	supplies	7.01
Otter Tail Power Co.	electric	25,525.26
Outdoor Aluminum Inc.	bleachers	26,640.00

Petty Cash	postage	56.34
Racarie	HR application support	105.00
Ramptech	skate park equipment	2,998.20
Redwood Toxicology Laboratory	test kits	181.25
Reedstrom, Mark	retainer fee	1,000.00
Reimche Airspray LLC	FBO Contract	1,500.00
Runnings Supply Inc.	supplies, parts	1,732.78
Safeguard Business Systems, Inc	utility bills	845.26
SD Dept of Revenue	sales tax	1,948.66
SD Public Health Lab	testing	270.00
SDSRP	program fee	45.00
Settje, Donald	expense reimbursement	29.05
Share Corp	supplies	748.75
Sirchie Acquisition Co.	supplies	199.67
Site One Landscape Supply LLC	insecticide	581.43
South Dakota 811	one calls	88.20
Spotify	subscription fee	10.64
Squarespace.com	domains	289.68
Star Laundry & Cleaners	laundry service	908.75
Stengel Repair	repair Ranger	407.55
The Valley Shopper	advertising	520.87
Twin Valley Tire	tires, tire service	381.87
UPI Petroleum	gas	3,205.96
US Postal Service	postage	452.60
USA Bluebook	supplies	1,734.97
Valley Office Products	supplies	811.30
Valley Rental & Recycling	recycling agreement	650.00
Vessco Inc.	parts	1,907.63
West Central Communications	equipment	97.90
Whetstone Electric	electric	366.93
Whetstone Home Center	supplies	392.33
Whetstone Sanitation	garbage service	939.00
WM Corporate Services, Inc.	garbage service	2,258.18
Zoom Video Communications	Zoom video subscription	112.88
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